

**WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND MEETING**

August 2, 2011

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, August 2, 2011 at 7:00 p.m. in the Wethersfield Town Council Chambers located at Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

1. CALL TO ORDER:

Chairman Roberts called the meeting to order at 7:04 p.m.

1.1 ROLL CALL & SEATING OF ALTERNATES (5 members required for a quorum):

Clerk Hammer called the roll as follows:

Member Name	Present	Absent	Excused
Richard Roberts, Chairman	✓		
Thomas Harley, Vice Chairman	✓		
Joseph Hammer, Clerk	✓		
Earle Munroe	✓		
George Oickle	✓		
Anthony Homicki			✓
James Hughes	✓		
Antonio Margiotta	✓		
Vacancy			
Dave Edwards	✓		
Thomas Dean (alternate)	✓		
Angelo Robert Fazzina (alternate)	✓		

Also present: Peter Gillespie, Town Planner/Economic Development Manager;
Denise Bradley, Assistant Planner

Chairman Roberts noted that there were 8 full members and 2 alternate members in attendance at the time of roll call. All members present to participate.

Members of the Public were present.

2. OLD BUSINESS:

There was no old business discussed at this meeting.

3. NEW BUSINESS:

3.1 Annual Organizational Meeting of the Planning and Zoning Commission

Election of 2011-2012 Officers:

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Clerk Hammer made a motion to nominate and elect Vice Chairman Harley as Commission Chairman for 2011-2012. Commissioner Oickle seconded, and the vote showed all in favor.

Vice Chairman Harley made a motion to nominate and elect Clerk Hammer as Commission Vice Chairman for 2011-2012. Commissioner Hughes seconded, and the vote showed all in favor.

Vice Chairman Harley made a motion to nominate and elect Chairman Roberts as Commission Clerk for 2011-2012. Commissioner Hughes seconded, and the vote showed all in favor.

Authorization of Commission Signatures for 2011-2012:

Chairman Roberts made a motion to authorize Peter D. Gillespie to sign notices of the Commission for 2011-2012. Commissioner Hughes seconded, and the vote showed all in favor.

Chairman Roberts made a motion to authorize Michael J. Turner to sign notices of the Commission for 2011-2012. Commissioner Hughes seconded, and the vote showed all in favor.

Ex-Officio Members for 2011-2012:

Clerk Hammer made a motion for Jeff Bridges, Town Manager, as Ex-Officio Member of the Commission for 2011-2012. Commissioner Oickle seconded, and the vote showed all in favor.

Appointment to Capitol Region Council of Governments for 2011-2012:

Commissioner Oickle made a motion for Earle Munroe as representative and Antonio Margiotta as alternate to the Regional Planning Commission of CROG for 2011-2012. Commissioner Fazzina seconded, and the vote showed all in favor.

Appointment to Economic Development and Improvement Commission for 2011-2012:

Vice Chairman Harley made a motion to nominate and elect James Hughes as liaison to the Economic Development and Improvement Commission. Commissioner Oickle seconded, and the vote showed all in favor.

Review of Commission Rules and Procedures:

Vice Chairman Harley made a motion to re-adopt Commission Rules and Procedures. Commissioner Oickle seconded, and the vote showed all in favor.

The voting for the **Annual Organizational Meeting of the Planning and Zoning Commission** occurred as follows:

Aye: Roberts, Harley, Hammer, Munroe, Oickle, Hughes, Margiotta, Edwards;

Nay: None

Vote: 8 – 0;

The Minutes will reflect from this point forward that Thomas Harley is Chairman of the Planning and Zoning Commission, Joseph Hammer is the Vice Chairman, and that Thomas Harley lead the meeting from this point forward.

3.2 PUBLIC HEARING APPLICATION NO. 1737-11-Z: Don Hammerberg Associates Seeking a Special Permit in accordance with Section 5.7 of the Wethersfield Zoning Regulations for a General Repairer's License and in accordance with Section 5.6 of the Wethersfield Zoning Regulations to construct an addition at 450 Silas Deane Hwy.

Mark Fey, along with Todd Lamore of Lamore's Service Station, appeared before the Commission on behalf of the Applicant.

Mr. Fey noted that the design has been approved by the Design Review Advisory Committee. He mentioned that the Plans reflect changes to the exterior of the existing building, and that the Applicant will be applying for the façade improvement program. Revised copies of the Plan were provided to the Commissioners pursuant to the staff review which took place a week prior to this meeting. The revisions are changes to the site plan and elevations to the building. The zoning table has been updated, proposed refuse screening details have been added, and a light is proposed for installation on the south wall stairway running to the lower level. The parking table has been updated based on this Application.

Mr. Fey read a letter into the record addressing item #8 of the July 27, 2011 Memo from Peter Gillespie, Denise Bradley & Michael Turner to the Planning & Zoning Commission. Item #8 pertains to storage of vehicles, tow trucks and equipment off site. The storage is occurring next door and to the right of the Applicant's property, and there is a shared driveway arrangement.

The following letter was read by Mr. Fey into the record in response to item #8 dated August 2, 2011: "I, Ron Roche, own the above-mentioned company (Roche Service Company), a Limited License Company with commercial property located at 462-464 Silas Deane Highway and permit parking of said trucks on my property at the rear of the building."

Mr. Fey indicated that a waiver regarding the landscaping requirements is requested because of the shared driveway. Mr. Fey indicated there is a notation on the site plan that a lease agreement will be obtained with Hartford Electric Company. He indicated the number of garage spaces is the same on both plans and that the HVAC details are shown on the plans. He mentioned that the fence height will not exceed six (6) feet. Mr. Fey indicated the drainage from the gutters has been draining onto splash blocks and sheathing materials and running into the wetlands since the building was erected, and the Applicant will not change this method unless advised by the Town Engineering Department. He mentioned the revised site Plan contains a notation that the existing sales room will be handicapped accessible with a handrail. Notes regarding repairs and signage have been added to the plans (see #15 on the site plan).

Mr. Fey stated the importance of having both a repairer's license and a dealer's license at the proposed site for purposes of Lamore's Service Station's ability to continue their vehicle auctioning business.

Mr. Fey briefly reviewed the Site Plan with the Commissioners. The existing one (1) story brick block building will be converted to a building with three (3) garage bays and expansions over six (6) feet to accommodate storage of the service station's towing vehicles. The rear of the building will remain virtually the same with some exceptions: the stairway area leading to the lower level with landscaping at the border, and the handicapped accessible area. A dumpster area with screening at the rear of the site is included in the Plan. Full cut-off lighting is also included in the Plan.

Mr. Fey indicated that the art deco tower structure at the front of the building will remain. A light and dark stucco design will be on the face of the building with ionized and bronzed frames along the windows and doors of the building. The roof top units will be located behind the building's fascia. In terms of signage for the site, a pylon sign design will be submitted for review in the future. The roof of the existing structure will be removed and redesigned as noted on the Plan.

Chairman Harley submitted for the record the following correspondence: (1) July 21, 2011

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Memorandum from the Design Review Committee approving this Application; (2) July 26, 2011 Memorandum from the Fire Marshal to Peter Gillespie with comments relating to debris and destroyed vehicles, conformance with CT Fire Safety Code and CT Fire Prevention Code, and storage of hazardous materials; (3) July 27, 2011 Memo from Peter Gillespie, Denise Bradley and Michael Turner to Planning & Zoning Commission regarding the revised elevation plans, revised site plans and seventeen (17) other comments regarding this Application.

Chairman Harley indicated that of the seventeen (17) comments made in the 07/27/11 Memo referred to above, fifteen (15) issues identified by Staff have been met with responses. The remaining two (2) are unresolved [item #9 (waiver of landscape plan) and item #10 (evidence of lease agreement with Hartford Electric Company)]. Chairman Harley asked Mr. Gillespie to explain where the analysis for a waiver of landscape requirements would begin concerning this Application.

Mr. Gillespie indicated the Commission could look at existing landscape requirements for the site versus what the site would require once it is improved.

Mr. Fey noted that sixty-four (64) square feet of landscaping would be needed, pursuant to Town Regulations, if the façade improvement program and the pylon sign were granted for the site.

Mr. Gillespie noted that a series of landscaping requirements need to be met separately from signage requirements.

Mr. Fey indicated that the landscaping for this site, at this time, is well below what is currently required.

Mr. Gillespie asked for further clarification from the Applicant regarding: (1) the request to operate a dealer's license at the site; (2) why the dealer's license is needed; and (3) how the site will operate with the inclusion of the dealer's license portion to this Application.

Mr. Todd Lamore indicated that a dealer's license will allow the vehicles to be taken from the site and straight to auction rather than trying to sell said vehicles in house or trying to find a buyer.

Mr. Gillespie indicated that there is a Town Regulation which states that auto sales are permitted, provided that the vehicle is stored indoors.

Mr. Gillespie noted and Todd Lamore concurred that the public would not be permitted to view and/or purchase the vehicles that are to be disposed of, and that the dealer's license is needed to satisfy the State of Connecticut's requirements of being allowed into the auction.

Mr. Lamore indicated that no cars will be displayed outside for sale and that there will be no signage or advertising pertaining to vehicle sales at the site.

Mr. Gillespie inquired and Mr. Fey noted that cars will be stored in the rear lot, which is surrounded by a chain linked fence.

Clerk Roberts inquired as to what is actually going to be happening at the site.

Mr. Lamore indicated that the site in this Application would accommodate the holding and repair of six (6) cars at a time, and therefore, would allow the two (2) bay Lamore's Service Station site, which is currently located across the street from this Application, to have more space for servicing customers with auto repairs and fueling. The shifting of the holding and repair side of the business to the proposed site would allow customers to have more room when they drop off their vehicles or fuel at the current site.

Commissioner Oickle inquired if color renderings of the proposed building were available, and Mr. Fey delineated certain details of the building such as glass color (smoked color), stucco, brick details and what details would remain the same.

Commissioner Oickle inquired and Mr. Fey noted that a railing for the handicapped space to get into the front door of the building is dependent upon the incline at the site entrance. Mr. Fey also noted that if a railing is required pursuant to Town Regulations, one would be installed.

Commissioner Oickle inquired and Mr. Lamore noted that the driveway at the site will be re-paved all the way down to the fence line.

Mr. Gillespie noted and Mr. Fey concurred that the Plan does not reflect paving all the way down to the fence line. Mr. Fey indicated that paving all the way down to the fence line will be added as a note to and reflected in the Plan.

Commissioner Oickle inquired and Mr. Fey indicated that Mr. Roche (neighbor at proposed site) has allowed Mr. Lamore to park vehicles in transit on Mr. Roche's property.

Commissioner Oickle inquired and Mr. Lamore indicated that the fencing at the site is in the right of way but is not under the power lines.

Commissioner Oickle inquired and Mr. Lamore indicated that the business services AAA, the Police Department and is considered a tow-and-hold site for vehicles that were in accidents and unregistered cars.

Commissioner Fazzina inquired if provisions exist for a grease interceptor at the rear of the site. Mr. Fey indicated that there are no plans for a grease interceptor at this time for the site, and the floor of the site would have to be disrupted.

Commissioner Fazzina inquired if service would be done to vehicles at the site or if the site was predominately for storage. Mr. Lamore indicated that vehicles would be serviced at the site.

Commissioner Fazzina inquired if fire suppression requirements are necessary for the site.

Mr. Fey indicated that due to the size of the building, no fire suppression requirements are needed for the site.

Commissioner Fazzina inquired and Mr. Lamore indicated that no security problems have occurred with vehicles in his tow-and-hold operation.

Commissioner Fazzina and Mr. Lamore agreed that the pitch of the site running below the Silas Deane Highway allows for minimal visibility of the tow-and-hold operation to the public.

Commissioner Fazzina inquired and Mr. Fey indicated the presence of masonry scaffolding at the site will complete itself once this Application is decided.

Commissioner Fazzina inquired and Mr. Lamore indicated that most of the tow trucks will be stored at the site indoors during evening hours, especially during inclement weather.

Commissioner Fazzina inquired how hazardous waste would be prevented from traveling into the wetlands area in the rear corner of the site. Mr. Lamore indicated that a drain and an oil separator exist in the back corner of the property by the fence.

Commissioner Hughes inquired and Mr. Lamore concurred that service to the community would operate more quickly and efficiently if the Application is approved.

Commissioner Hughes inquired and Mr. Lamore concurred that it is a necessity to have a dealer's license at the site in order to have access to the State auction system when disposing vehicles for the Town Police Department.

Commissioner Hughes indicated and Mr. Lamore concurred that if a dealer's license is not permitted for the site, Lamore's Service Station would have to auction at their current site or hold vehicles until they find someone to purchase it. Both gentlemen agreed that crowding of cars would occur and general service at the station for the public would be compromised.

Commissioner Hughes inquired and Mr. Lamore concurred that the former tenant at the site had a dealer's license wherein heavy equipment and fire trucks were auctioned.

Commissioner Oickle inquired and Mr. Lamore indicated that the office space in the front of the building proposed will be used as a dispatch/working area with desks.

Commissioner Oickle made an inquiry regarding drainage at the site. Mr. Fey noted that the existing drainage system is proposed for the site and that they would work with Town Staff to alter that system if necessary.

PUBLIC COMMENTS:

There were no public comments made at this meeting regarding this Application.

Clerk Roberts suggested to Mr. Gillespie that the public hearing remain open because the landscaping requirements need to be met and that the paperwork submitted in this Application does not match the legal notice published regarding this hearing.

Mr. Gillespie concurred with Clerk Roberts and noted that Town Staff needs to review the additional information provided and learned at this meeting. He suggested that a written parking agreement from Mr. Roche needs to be submitted. He indicated that it is in the Applicant's best interest to have proper legal notice to the public made regarding this entire matter.

Motion: Commissioner Hughes made a motion to continue **PUBLIC HEARING APPLICATION NO. 1737-11-Z: Don Hammerberg Associates** Seeking a Special Permit in accordance with Section 5.7 of the Wethersfield Zoning Regulations for a General Repairer's License and in accordance with Section 5.6 of the Wethersfield Zoning Regulations to construct an addition at 450 Silas Deane Highway.

Second: Commissioner Oickle seconded the motion.

Aye: Harley, Hammer, Roberts, Munroe, Oickle, Hughes, Margiotta, Edwards;

Nay: None;

Vote: 8 – 0;

Public Hearing Continued.

3.3 PUBLIC HEARING APPLICATION NO. 1741-11-Z: Theodore Dombroski Seeking a Special Permit to conduct a retail business from a roadside vehicle without a principle building at 63 Wolcott Hill Road.

Ted Dombroski of 196 Hubbard Road, Hartford, CT, and Jim Gunn of Gunn's Sunoco Service Station, 63 Wolcott Hill Road, appeared before the Commission. Mr. Dombroski submitted a written proposal for his hot dog cart vending business that he and his wife would like to operate in a designated area at Mr. Gunn's service station. He noted that he would like to operate his business until 3:00 p.m. Monday through Friday and believes that three to four (3-4) vehicles of patrons would be present at the site at a given time.

Mr. Dombroski and Mr. Gunn agreed that although the intersection by the site is busy, vehicles that are stored on the site (and not used) will be removed to allow adequate space for the Applicant's business operation while ensuring proper ingress and egress to the site for both the service station and the Applicant's business. The gentlemen asserted that they are willing to comply with any zoning requirements at the site regarding this Application.

Mr. Gunn indicated that the front section of the site will always be clear from Mr. Dombroski's use and that the west side of the site will be cleared. He noted his desire to improve the overall look of the site.

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Commissioner Oickle inquired and Mr. Gunn indicated that six (6) spaces at the front corner of the site would be available to Mr. Dombroski and his customers.

Commissioner Oickle inquired of Mr. Gillespie if there is a maximum amount of cars allowed at the site. Mr. Gillespie noted that he could not find a reference, such as a previous approval for this site, in this regard.

Commissioner Oickle inquired and Mr. Gunn noted that employees could park at the commuter lot located on Wolcott Hill Road, which is directly across from Mr. Gunn's service station (northeast corner).

Mr. Gillespie noted correspondence dated August 1, 2011, from Officer Crabtree regarding traffic concerns, parking and ingress/egress at the site.

Commissioner Oickle indicated that the proposed business would not generate tax revenue for the Town.

Vice Chairman Hammer made an inquiry regarding when the Applicant plans to begin the business, what the hours, days of the week and months for operation would be.

The Applicant noted he would open this season. He'd like to operate Monday through Friday from April through October, and that he'd like his hours to be as early as 8:00 a.m. and ending at 3:00 p.m. Mr. Dombroski indicated that the hours requested reflect time for set up and clean up.

Commissioner Edwards inquired and Mr. Dombroski indicated that the hot dog cart would be stored in a cargo trailer at his residence.

Commissioner Margiotta inquired and Mr. Dombroski indicated that small signs advertising his business would appear on his cart and that he would remove customer and business refuse from the site daily.

PUBLIC COMMENTS:

There were no public comments made at this meeting regarding this Application.

Clerk Roberts inquired and Mr. Gillespie suggested that language be added to an approval which indicated that Lt. Crabtree of the Wethersfield Police Department is to be involved in the process of determining how much space is needed at the site for proper ingress/egress, adequate parking and other safety concerns at the site, pursuant to the Lieutenant's August 1, 2011 correspondence to Peter Gillespie.

Chairman Harley inquired and the Applicant agreed to a 9:00 a.m. start time.

Motion: Clerk Roberts made a motion to close **PUBLIC HEARING APPLICATION NO. 1741-11-Z: Theodore Dombroski** Seeking a Special Permit to conduct a retail business from a roadside vehicle without a principle building at 63 Wolcott Hill Road.

Second: Commissioner Hughes seconded the motion.

Aye: Harley, Hammer, Roberts, Munroe, Oickle, Hughes, Margiotta, Edwards;

Nay: None;

Vote: 8 – 0;

Public Hearing was Closed.

DISCUSSION:

Vice Chairman Hammer suggested a one (1) year permit wherein the business would operate Monday

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through Friday from 9:00 a.m. (start set up) to 3:00 p.m. during the months April through October. He also suggested that the Applicant provide proper trash receptacles, while maintaining and inspecting the site for neatness and cleanliness. He noted that location of the cart, parking at the site, as well as site ingress/egress issues be determined by Applicant consulting with Lt. Crabtree of Wethersfield Police Department, Town Planning and Town Engineering Staff.

Clerk Roberts suggested the date of October 31, 2012 for the Applicant's permit to expire reasoning that much of the Applicant's proposed season has passed.

Motion: Vice Chairman Hammer made a motion to approve, **PUBLIC HEARING APPLICATION NO. 1741-11-Z: Theodore Dombroski** Seeking a Special Permit to conduct a retail business from a roadside vehicle without a principle building at 63 Wolcott Hill Road, with the following conditions:

1. This is a one (1) year permit;
2. This permit expires October 31, 2012;
3. The months of operation are April through October;
4. The hours of operation are Monday through Friday from 9:00 a.m. to 3:00 p.m.;
5. The exact location of the hot dog cart and associated parking be determined with consultation and input of Lieutenant Crabtree of the Wethersfield Police Department, as well as Town Planning Staff and Town Engineering Staff;
6. The Applicant is to provide adequate receptacles for trash;
7. The Applicant is to regularly inspect the site and maintain the site to keep it free of trash and debris;
8. The Applicant is to obtain approval from Town Staff prior to any display of signage on the vending cart and/or at the site.

Second: Clerk Roberts seconded the motion.

Aye: Harley, Hammer, Roberts, Munroe, Hughes, Margiotta, Edwards;
Nay: Oickle;

Vote: 7 – 1;

Application approved with conditions.

DISCUSSION:

Vice Chairman Hammer noted that he has concerns regarding this type of Application, as he questions whether outdoor food carts are something the Commission wants to encourage throughout the Town of Wethersfield and have more of. He is also concerned about the traffic at the site and in the area.

Mr. Gillespie noted that Staff members are beginning to research how other communities regulate these types of food vendors so that Staff can provide some recommendations. Town ordinance may be a way to regulate this type of activity.

Commissioner Oickle concurred with Vice Chairman Hammer. He expressed concerns regarding the safety at the site despite the positive intentions Mr. Dombroski and Mr. Gunn made in the presentation.

He indicated that there is no tax revenue from a vending cart business for the Town of Wethersfield, and he indicated a proliferation of vending cart businesses is not desirable.

Chairman Harley concurred with Commissioner Oickle and indicated that an expectation has been set that the activity is allowed until criteria is set regarding the activity. He indicated that a condition regarding signage approval from Town Staff prior to display on cart and/or site is to occur.

3.4 PUBLIC HEARING APPLICATION NO. 1742-11-Z: Accubranch, LLC Seeking a Special Permit in accordance with Section 5.2 of the Wethersfield Zoning Regulations to convert an existing restaurant into a bank (Farmington Bank) at 486 Silas Deane Highway.

Mr. Jeff Olszewski, Fuss & O'Neill, Inc., appeared before the Commission on behalf of the Applicant. He noted that this parcel was formerly known as *Tim Horton's*, and the plan now is to convert the parcel into a Farmington Savings Bank branch. He described the redevelopment of this site as mainly a reconfiguration of the drive-thru on the north side to accommodate a new ATM drive thru as well as the removal of the existing angled parking to accommodate a by-pass lane for a variety of different types of vehicles.

Mr. Olszewski noted that on the west side (back of building), the refrigerator cooling units would be removed and that area would be converted into a fenced-in patio for staff and the current dumpster enclosure will be reduced, moving towards the east, due to the change in use, so that security sight lines from Church Street to the back side of the building. Handicapped parking will be reconfigured where it currently exists, and a new handicapped compliant ramp will be installed at the southwest corner (along Silas Deane Highway). An increase in the landscape buffer will be made along the north property line of the site, as suggested by Town Staff.

Mr. Olszewski indicated that modifications to the building include slight extensions to the gables located on the front of the building which is on the west side (Silas Deane Highway), as well as the gable on the Church Street side of the building. A new awning will be installed that will cover the current drive-thru that will be reconfigured into the teller drive-up line and slightly extending into the ATM drive-thru. Some additional items for the building will be updates (color change) to the siding, as well as some new lighting fixtures on the building. All other site lighting will remain.

Commissioner Oickle inquired if the catch basin tops, broken slabs and curbing at the site will be repaired, and Mr. Olszewski noted that comments by Town Staff such as Commissioner Oickle's have been addressed and included in this Application submission.

Commissioner Oickle inquired and Mr. Jim Hague of Tecton Architects indicated that a window on the drive-thru side will be eliminated and the other drive-thru window will be replaced. An additional exit on the parking lot side will be closed off. A second exit out of the building will be located in the back where the current refrigeration units are located, and that area will have the exit door leading to the fenced-in patio.

Commissioner Munroe inquired and Mr. Olszewski indicated that both in and out traffic will pass in the driveway on the Silas Deane Highway, but an additional "right turn only" lane and signage noting same will be added.

Commissioner Dean inquired if the Police Department or Town Engineering Staff have reviewed traffic

ingress/egress of the driveway onto the Silas Deane Highway, as well as parking utilization at this location when it was *Tim Horton's* as compared to the use presented.

Mr. Gillespie indicated no such review has been completed. He however maintained that Town Staff general consensus is that there will be a decrease in intensity. He noted the desire of Staff to maintain the turning movement prohibition although the sign had been removed. He indicated the directive has been made to reinstall the sign and reinstitute the prohibition.

Commissioner Dean inquired and Mr. Olszewski indicated there is a net decrease of fifty-five (55) square feet of impervious surfacing (total amount of asphalt) as a result of the reconfiguration of this site.

Commissioner Dean inquired if run off calculations have been made with regard to post reconfiguration, and Mr. Olszewski indicated that no calculations have been made.

Commissioner Dean mentioned and Mr. Olszewski concurred that the new site plan submission notes: "clean the plunge pool of accumulated sediment", which is an existing feature.

Commissioner Dean inquired if a periodic and ongoing maintenance standard is noted on the Plan, and Mr. Olszewski noted that there is no ongoing standard other than the initial standard noted, as suggested by Staff, on the Plan.

Commissioner Dean inquired and Mr. Olszewski indicated that he cannot speak to the issue of ongoing maintenance in terms of runoff onto the property without having an analysis completed.

Commissioner Dean inquired and Mr. Olszewski indicated that in terms of general engineering practice that keeping the design cleaned out is the intent of the design and maintaining the water flow.

Commissioner Dean suggested that a note indicating periodic clean out should be added to the Plan. Mr. Olszewski indicated that if that term was desired by the Commission, it could be included in the Plan.

Commissioner Oickle inquired if the edge of the site would be cleaned, and Mr. Olszewski indicated that the note on the Plan pertains specifically to the plunge bowl.

Vice Chairman Hammer inquired and Mr. Olszewski noted that the change in use of the site yields fewer parking spaces required, and, therefore, allowing for the bypass lane while maintaining the appropriate number of spaces of the use of the site.

Chairman Harley mentioned three (3) documents to be added to the record: (1) July 21, 2011 approval from the Design Review Committee; (2) July 28, 2011 Memo from Peter Gillespie, Denise Bradley and Michael Turner highlighting nineteen (19) comments from Staff; (3) July 26, 2011 comments from Fire Marshal.

Chairman Harley made an inquiry regarding item #12 of the July 28, 2011 Memo noted above. Mr. Gillespie indicated that there are conditions on the original wetlands approval for the site that would remain in full force and effect (clean out plunge pool area).

Chairman Harley asked Mr. Olszewski to clarify/quantify the landscape waiver. Mr. Olszewski noted

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that the reconfiguration of the entrance and parking areas and addition of landscaping are considerations for the waiver. There is a shortage of eleven (11) square feet at one (1) of the areas at the site, as noted on the Plan.

Mr. Gillespie suggested the condition of referring to the Memo dated July 28, 2011 with the directive that the matters addressed therein be completed to the satisfaction of the Town Planning and Town Engineering Staff.

Chairman Harley inquired and Mr. Gillespie indicated that he is satisfied with the magnitude of the landscape waiver, as the intent for the waiver has clearly been satisfied.

Commissioner Margiotta suggested that the Town Engineer inspect the plunge bowl system to ensure its proper operation and that a letter be submitted stating such information.

Commissioner Oickle inquired and Mr. Hague indicated that the roof color will remain as is, new canopies will be added and the siding color will be changed to grey color utilized at other branch locations.

PUBLIC COMMENTS:

There were no public comments made at this meeting regarding this Application.

Motion: Commissioner Hughes made a motion to close **PUBLIC HEARING APPLICATION NO. 1742-11-Z: Accubbranch, LLC** Seeking a Special Permit in accordance with Section 5.2 of the Wethersfield Zoning Regulations to convert an existing restaurant into a bank (Farmington Bank) at 486 Silas Deane Highway.

Second: Commissioner Oickle seconded the motion.

Aye: Harley, Hammer, Munroe, Oickle, Hughes, Margiotta, Edwards; Dean;

Nay: None;

Vote: 8 – 0;

Clerk Roberts recused himself from participating in the discussion and voting for this matter.

Public Hearing was Closed.

Motion: Commissioner Oickle made a motion to approve, **PUBLIC HEARING APPLICATION NO. 1742-11-Z: Accubbranch, LLC** Seeking a Special Permit in accordance with Section 5.2 of the Wethersfield Zoning Regulations to convert an existing restaurant into a bank (Farmington Bank) at 486 Silas Deane Highway, with the following conditions:

1. Responses to the nineteen (19) comments made in the July 28, 2011 Memo to the Planning & Zoning Commission from Peter Gillespie, Denise Bradley and Michael Turner are made by the Applicant or its representatives to the satisfaction of Town Planning and Town Engineering Staff;
2. The Applicant is to provide an inspection letter pertaining to the existing underground drainage system

Second: Commissioner Margiotta seconded the motion.

Aye: Harley, Hammer, Munroe, Oickle, Hughes, Margiotta, Edwards, Dean;

Nay: None;

Vote: 8 – 0;

Clerk Roberts recused himself from participating in the discussion and voting for this matter.

Application approved with conditions.

4. OTHER BUSINESS:

4.1 C.G.S. §8-24 – Request from Gabriel Amatore on Jay Street.

Motion: Vice Chairman Hammer a motion to table the following matter to the next meeting of the Planning & Zoning Commission: **C.G.S. §8-24** – Request from Gabriel Amatore on Jay Street.

Second: Clerk Roberts seconded the motion.

Aye: Harley, Hammer, Roberts, Munroe, Oickle, Hughes, Margiotta, Edwards;

Nay: None;

Vote: 8 – 0;

Matter Tabled.

5. MINUTES - Minutes from the July 19, 2011 Meeting.

Commissioner Harley indicated that on Page 1 and above item 2 of the July 19, 2011 Planning & Zoning Commission's Meeting Minutes, the words "Chairman Roberts" should be changed to "Vice Chairman Harley". Commissioner Fazzina indicated that on Page 3, the word "mansel" should be changed to "ansel". The Minutes will be corrected to reflect those changes.

Motion: Commissioner Oickle made a motion to approve the minutes, as corrected.

Second: Commissioner Fazzina seconded the motion.

Aye: Harley, Munroe, Oickle, Dean, Fazzina;

Nay: None;

Vote: 5 – 0;

The following Commission Members abstained from the vote, as they were not present for the meeting of the Planning & Zoning Commission on July 19, 2011: Roberts, Hammer, Hughes, Margiotta, Edwards

Minutes approved as corrected.

6. STAFF REPORTS:

Mr. Gillespie indicated that in the near future, the Commission will be reviewing two (2) redevelopment plans from the Redevelopment Agency which would be made in compliance with Connecticut General Statutes. These plans are pertaining to 1000 Silas Deane Highway and a cluster of properties on the Berlin Turnpike. The Commission would have to make findings that the plans are consistent with the Town's Plan of Conservation and Development.

Mr. Gillespie indicated that Staff is researching how communities are handling vending cart businesses and that the findings will be reported to the Commission. Commissioner Dean noted that with regard to mobile vending businesses, there is a distinction between vending carts and vending trucks. Commissioner Dean urged that Staff research include findings relative to clientele, impact on the designated site and area, as well as issues of parking and safety for customers, non-customers and motorists.

7. PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING:

There were no public comments made at this meeting relative to general matters of planning and zoning.

8. CORRESPONDENCE:

Commission members were provided a copy of a memo dated July 28, 2011 from Eric Knapp, Esq. regarding the 2011 Legislative Session.

9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS:

9.1 PUBLIC HEARING Application No. 1743-11-Z Nirvana Salon Academy Seeking a Special Permit to operate a cosmetology school at 318 Silas Deane Highway.

10. ADJOURNMENT:

Motion to adjourn at 8:53 PM – by Commissioner Oickle.

Seconded – by Commissioner Margiotta.

Aye: Harley, Hammer, Roberts, Munroe, Oickle, Hughes, Margiotta, Edwards;

Nay: None;

Vote: 8 – 0;

Meeting adjourned.

Respectfully submitted,
Ellen Goslicki, Recording Secretary